



Building and Code Compliance Department  
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## INSTRUCTIONS TO OWNER-BUILDERS

Pursuant to Florida Statute 489.103 (7) owners of real property when acting as their own contractor and providing all material supervision themselves, when building or improving one-family residences or commercial property, shall be provided with the following disclosure statement by the local permitting agency.

State law requires construction to be done by licensed contractors. You have applied for a permit under an exemption to that law. The exemption allows you, as the owner of your property, to act as your own contractor with certain restrictions even though you do not have a license. You must provide direct, onsite supervision of the construction yourself. You may build or improve a commercial building, provided your costs do not exceed \$25,000. **The building or residence must be for your own use or occupancy. It may not be built or substantially improved for sale or lease. If you sell or lease a building you have built or substantially improved yourself within 1 year after the construction is complete, the law will presume that you built or substantially improved it for sale or lease, which is a violation of this exemption.** You may not hire an unlicensed person to act as your contractor or to supervise people working on your building. It is your responsibility to make sure that people employed by you have licenses required by state law and by county or municipal licensing ordinances. You may not delegate the responsibility for supervising work to a licensed contractor who is not licensed to perform the work that is being done. Any person working on your building who is not licensed must work under your direct supervision and must be employed by you, which means that you must deduct F.I.C.A. and withholding tax and provide workers' compensation for that employee, all as prescribed by law. Your construction must comply with all applicable laws, ordinances, building Codes, and zoning regulations.

**PROOF OF OWNERSHIP-** Prior to a building permit being issued to you, you must submit proof of ownership of the land concerned in the application in the form of a recorded deed, showing you own the property, or a copy of mortgage or warranty deed of the land, or a Dade County tax receipt, statement to contain legal description of property and indicate property is in your name. Legal description and name on document of proof must correspond to the name and legal description on the application.

**RESPONSIBILITY-** You will be responsible for all work done by your day labor employees, and you must either employ licensed contractors or persons to be paid on an hourly or per diem basis. Anyone contracting (including labor) with you, verbally or in writing, on a fixed fee basis for any work, who is not properly licensed, will be subject to a fine of \$500 pursuant to Florida Statute 489.127 (4) (c) and/or imprisonment for up to one year pursuant to Florida statute 489.127.

**INSURANCE-** You should be advised that if your labor employees cause any damage to persons or property, or if any of your day labor employees are injured on the job, YOU ARE LIABLE. Your regular home insurance policy ordinarily does not cover this type of liability.

**WITHHOLDING TAXES-** You should be advised to investigate your responsibility for withholding Social Security, Federal and State Unemployment Insurance Taxes from the wages of employees working for you on the proposed construction, and for making returns thereof to the proper agency.

**DEMOLITION WORK-** In addition to meeting Florida Building Code requirements stated above, you are responsible for disconnecting all utilities, including water, sewer, septic tank, electrical service, gas, telephone, cable TV, etc., prior to commencing demolition. You are also required to obtain a permit from the State of Florida Department of Health and Rehabilitative Services in order to abandon any septic tank that is on the property.

Notice: Separate permits are required for electrical, septic tank abandonment, plumbing, roofing and mechanical work.

I, \_\_\_\_\_ the owner of the property described as \_\_\_\_\_, do hereby certify that I have read the foregoing instructions, and am aware of my responsibilities and liabilities for a building permit for construction work on the above described property. **HAVING READ THE ABOVE STATE LAWS AND REQUIREMENTS, I UNDERSTAND AND AGREE THAT I WILL ABIDE BY SUCH LAWS AND REQUIREMENTS.**

\_\_\_\_\_  
Notary Signature

\_\_\_\_\_  
Property Owner

\_\_\_\_\_  
Date

The foregoing instrument was acknowledged before me this \_\_\_\_\_ day

Of \_\_\_\_\_ 20 \_\_\_\_\_ by \_\_\_\_\_

( ) is personally known to me.

( ) has produced a \_\_\_\_\_ as identification.

Notary Public Seal